

ORIGINAL

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THOMAS F. McFARLAND

January 16, 2004

By UPS overnight mail
(Monday delivery)

ENTERED
Office of Proceedings

JAN 20 2004

Part of
Public Record

Vernon A. Williams, Secretary
Surface Transportation Board
Case Control Unit, Suite 713
1925 K Street, N.W.
Washington, DC 20423-0001

209884

Re: Docket No. AB-308 (Sub-No. 3X), *Central Michigan Railway Company --
Abandonment Exemption -- in Saginaw County, MI*

Dear Mr. Williams:

Hereby transmitted for filing in the above proceeding are the original and 10 copies of the verified statement of James Chrysler of Plastatech Engineering, Ltd. This verified statement supports Plastatech's Petition for Clarification of a Condition Contained in a Decision Served October 31, 2003, filed December 15, 2003. The verified statement does not contain new evidence. It merely verifies allegations already made in the Petition for Clarification. The response of Central Michigan Railway to Plastatech's Petition for Clarification was verified. Plastatech is hereby verifying the allegations in its Petition for Clarification.

Kindly acknowledge receipt by date stamping the enclosed duplicate copy of this letter and return in the self-addressed stamped envelope.

Very truly yours,

Tom McFarland

Thomas F. McFarland
Attorney for Plastatech Engineering, Ltd.

TMcf:kl:enc:wp8\961\trstb8

cc: William Mullins, Esq., *by UPS overnight mail (Monday delivery)*
Mr. James Chrysler

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VERIFIED STATEMENT OF JAMES CHRYSLER

My name is James Chrysler. I am employed by Plastatech Engineering, Ltd. (Plastatech) in its Purchasing Department.

This statement is directed to the following allegation in a letter dated January 12, 2004 from the attorney for Central Michigan Railway Company (CMR) to the Board:

... (I)t is the recollection of William Salter, CMR's Vice President who conducted the discussions with Plastatech, that he told Plastatech during those pre-October 16 negotiations that the timeframe for the \$200 per railcar allowance rebate must be limited and could not run forever ...

I am the Plastatech representative with whom Mr. Salter conducted those pre-October 16 negotiations. I was the only Plastatech employee who negotiated with CMR.

Mr. Salter did not tell me during those negotiations that the timeframe for the rebate must be limited and could not run forever. Mr. Salter did not suggest a 3-year term for the rebate, nor a 5-year term, nor any term at all. The first time that CMR requested a limited term for the rebate was long after October 16, 2003, when it sent Plastatech a proposed written agreement that contained a proposed 3-year term for the rebate. Plastatech immediately objected to that proposal because CMR's October 16 offer for that rebate was open-ended (i.e., did not have a term).

VERIFICATION

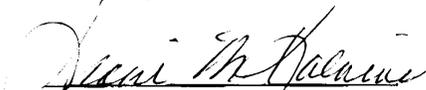
STATE OF MICHIGAN)
) SS:
COUNTY OF SAGINAW)

JAMES CHRYSLER, being duly sworn on oath, deposes and states that he has read the foregoing statement, that he knows the contents thereof, and that the facts therein stated are true and correct.



JAMES CHRYSLER

SUBSCRIBED AND SWORN to
before me this 14th day
of January, 2004.


Notary Public

My Commission Expires:

DIANE M KALNINS
Notary Public, Bay County
My Commission Expires Apr 17 2004

Acting in Saginaw County